

AUG 13 2008

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To: Mail Stop Appeal Brief - Patents
Firm: U. S. Patent and Trademark Office
Fax #: 571-273-8300
From: Ronald J. Kubovcik (Registration No. 25,401)
Date: August 13, 2008
Pages : 4 including this cover sheet.

Re : Appl. No. : 10/519,073
Applicant : Atsushi FUKUI et al.
Filed : December 23, 2004
TC/A.U. : 1795
Examiner : Cynthia K. Lee
Dkt. No. : MAM-056
Cust. No. : 20374

Confirmation No. 7337

Document transmitted herewith: (1) **RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

(Due: September 8, 2008)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Ronald J. Kubovcik

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 13, 2008

Sir:

This paper is submitted in response to the Notification of
Non-Compliant Appeal Brief dated August 8, 2008.

Please replace the Status of Claims section of the Appeal
Brief filed July 28, 2008, with the following amended Status of
Claims section.

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U.S. PATENT APPLN. S.N. 10/519,073
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(iii) STATUS OF CLAIMS

Claims 2 to 8, 13 to 15 and 20 to 22 are pending in this application. Claims 1, 9 to 12, 16 to 19 have been cancelled. Claims 2 to 8, 13 to 15 and 20 to 22 are appealed. Claims 2 to 8, 13 to 15 and 20 to 22 as finally rejected appear in the attached Appendix.

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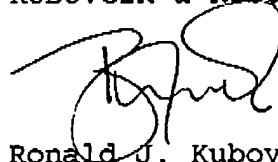
REMARKS

In the Notification of Non-Compliant Appeal Brief mailed August 8, 2008, the Office notes that the Appeal Brief filed July 28, 2008, fails to provide the status of all of the claims filed in the application, particularly, claim 17.

In response to the notification, a replacement section which explains the status of all of the claims filed in the application, including claim 17 (and claim 18) is submitted herewith.

In the event that this paper is not considered to be timely filed, appellants hereby petition for an appropriate extension of time. The fee for any such extension or any additional required fee may be charged to Deposit Account No. 111833.

Respectfully submitted,
KUBOVCIK & KUBOVCIK



Ronald J. Kubovcik
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